

Minutes of the regular session of the City Council of West Bountiful City held on Tuesday
October 21, at West Bountiful City Hall, Davis County, Utah

Those in Attendance

MEMBERS PRESENT: Mayor James Behunin, James Bruhn, Debbie McKean, Kenneth Romney, Cheryl Searle, Valerie Shaw

STAFF PRESENT: Wendell Wild (City Administrator), Craig Howe (Deputy City Administrator), Steve Doxey (City Attorney), Beverly Haslam (City Recorder), Randy Lloyd (Police Chief), Jami Zigich (Secretary)

VISITORS: Reid Gerritsen, Alan Malan, Jason Meservy, Barbara Gunnarson, Shaw Bralk, David Sutherland, Mark Child, Lucas Eiting, Elise Lechtenberg, April Lewis, Trent Larson

Called to Order:

This session of the West Bountiful City Council was called to order at 7:30pm by West Bountiful Mayor James Behunin. Mayor James Behunin announced that Garrett Erickson Boy Scout and local resident of West Bountiful would recite the Scout Oath followed by Council member Debbie McKean leading the Pledge Of Allegiance.

1.
Accept Agenda

Mayor James Behunin presented the printed agenda to Council and Staff.

MOTION: Council member Valerie Shaw made motion to accept agenda eliminating item #3 Emma Dugal - Bountiful Arts Center and item #8 Discussion of Survey on Curbside Recycling Service.

SECOND: Council member Debbie McKean seconded the motion

PASSES: Motion passes unanimously

2.
Public Comment:

No one came forward for Public Comment

3.
Emma Dugal
Bountiful Arts Center

Item eliminated from Agenda

4.
Consider Holly Oil
Agreement

Mayor James Behunin asked City Attorney Steve Doxey to please explain Agenda item #4 the Holly Oil Agreement to Council and Staff.

City Attorney Steve Doxey gave a lengthy explanation of the Agreement including the following but not limited to:

- history of the overpayment of tax and why repayment must be made
- printed document Tax Refund Payment Agreement
- printed First Amendment to Development Agreement
- printed Description of Scope of Work for Holly Building Permits
- explanation of local authorities of Holly being in agreement with proposals but that the corporate offices in Texas are not.
- that an appeal will have to be registered with the State Tax Commission within 24 hours if no agreement could be met, to protect the City from further sanctions.

Building Codes Inspector from CRS representing West Bountiful City, Mr Garton spoke to Council and Staff regarding legal matters regarding the inspection process assuring that all was in legal order.

Mayor James Behunin, City Council members and Staff ensued in an open non formal discussion regarding issues of concern and questions

MOTION: Valerie Shaw of Council made motion to approve the Tax Refund Payment Agreement, the First Amendment To Development Agreement, Description of Scope of Work for Holly Building Permits for Holly Refining and Marketing Company subject to further legal

1 and minor non-legal sub term changes as long as approved by City
2 legal council.
3

4 SECOND: Debbie McKean of Council seconded the motion.
5

6 MOTION TO AMEND MOTION: James Bruhn of Council made
7 motion to amend adding that the motion also state that the proper
8 documents would be filed for appeal with the State Tax Commission.
9

10 PASSES: Motion and Amended Motion passed unanimously
11

12 5.
13 Consider and Adoption
14 of Water Rate Increase
15

16 Elise Letchenberg of Lewis, Young, Robertson and Burningham Inc.
17 presented to Council and Staff West Bountiful Water Rate Discussion.
18 Lengthy discussion including printed materials included but was not
19 limited to:

- 20 - current water rate structure
- 21 - reasons for rate increase
 - 22 - Capital Improvement Plan
 - 23 - Bond Issue
 - 24 - Long Term Planning
- 25 - 3 different increase scenarios
- 26 - Discussion of Considerations
 - 27 - impact of selected rate structure
 - 28 - potential "spiking" of rates
 - 29 - long term planning
 - 30 - impact of increases to overages
 - 31 - impact of annual increases
- 32 - explanation of necessity to make a decision because of the impact in
33 negotiations of the Water Bond
- 34 - making the assured decision of Water Debt Service Coverage

35 A informal discussion then ensued amongst Council members, City
36 Staff and Citizens in Chambers regarding but not limited to:

- 37 - citizens with or without the use of secondary water
- 38 - new meters being installed and procedure for reading
- 39 - when increase would begin
- 40 - expect changes
- 41 - the need for a public hearing
- 42 - the urgency because of the Bond negotiations

43 MOTION: Ken Romney of Council made motion that the tentative
44 approval be made for acceptance of Water Rate Increase Scenario 3,
45

1 to be revisited in a years time as more accurate meter reading
2 information would be made available, and also the issue be revisited
3 after the Public Hearing of November 18,2008 at 7:45pm, also
4 proposing that hearing be slated for agenda.
5

6 SECOND: Debbie McKean of Council seconded the motion
7

8 ROLL CALL VOTE:

9 James Bruhn - nay
10 Cheryl Searle - nay
11 Ken Romney - yes
12 Valerie Shaw - yes
13 Debbie McKean - yes
14

15 PASSES: Motion passes with 3 to 2 vote
16

17 6.
18 Lakeside Golf Board
19 Pro-shop Proceeds

20 Shawn Brock acting chairman of Golf Board presented history and
21 proposed Pro Shop Profit Distribution. The following was proposed as
22 a distribution plan of the Club House profits for the 2008 golf season.
23 Mike Bicker - 50%
24 Kelly Class - 20%
25 Paul Bergantz - 20%
26 Staff - 10% - being distributed and determined by Mike Bicker
27

28 Brief discussion ensued amongst Council members and staff along
29 with Mr Shaun Brock regarding the need for a formal agreement to be
30 made regarding this issue as this agreement was only made for the
31 2008 season.
32

33 MOTION: Valerie Shaw of Council made motion to accept the
34 proposed pro-shop distribution for the 2008 season.
35

36 SECOND: Debbie McKean of Council seconded the motion
37

38 PASSES: Voting was unanimous in favor
39

40 7.
41 Consider option increasing
42 COLA for Public Safety
43 (2.5% to 4%) effective
44 January 1,2009
45

1
2 Craig Howe Deputy City Administrator/Finance Director referred
3 Council to the printed memo in their binders briefly explaining this
4 agenda item, also stating that this would be a big incentive in retaining
5 officers to the Police force of West Bountiful, stating that if accepted
6 the budget would have to be re-opened and adjusted in January.
7

8 Police Chief Randy Lloyd of West Bountiful gave a history of officers
9 being recruited to other agencies after the City had forwarded the
10 expense of training, stating that the increase would be more fiscally
11 sound than retaining new officers.
12

13 Mayor James Behunin stated that it was well to be aware of this
14 information and that he would urge the issue to be strongly considered
15 in January.
16

16 8.
17 Discussion of Survey
18 on Curbside Recycling
19 Service
20

21 Agenda item was postponed for further data collection
22

23 9.
24 Consider Historical
25 Commission Chairman
26 Appointment
27

28 Council member Cheryl Searle informed Council that the former
29 Chairman of the Historical Preservation Commission had resigned -
30 that person being Anita Winegar that position being open and needed
31 to be filled, she was proposing West Bountiful resident Alan Malan to
32 fill that position.
33

34 Informal discussion ensued amongst Council members, and City staff
35 regarding but not limited to:
36

- 37 - members of the commission living outside of the historical area
38 - the proposed candidate serving on two different commissions
39 - the pros of the bridge between the commissions of Historical and
40 Planning
41

42 MOTION: Council member Cheryl Searle made motion to appoint
43 West Bountiful resident Alan Malan as chairman of the Historical
Preservation Committee for a 1 year term.
1

SECOND: Council member James Bruhn seconded the motion

1
2 PASSES: Voting was unanimous in favor
3

4 10.
5 Police Report
6

7 West Bountiful Police Chief discussed and informed of the following:
8 - referred to printed information in binders
9 - suggestions from Council on how much or how little is needed in the
10 monthly police report
11 - the problem of officers being actively recruited by other agencies
12 after being trained by the City.
13 - the scenario of retaining vs retention
14

15
16 Mayor James Behunin assured Police Chief Lloyd that the Council and
17 himself would investigate the Police pay scale before preparing for the
18 new budget.
19

20 11.
21 Financial Report
22

23 Craig Howe Deputy City Administrator/Financial Director for West
24 Bountiful City, referred the Council and Mayor to the printed
25 information provided in binders.
26 Mr Howe informed and discussed the following:
27 - the Fiscal Year 2009 Revenues summary
28 - the process and procedures for an upcoming budget session
29 - police officer training/retraining versus retention
30 - West Bountiful Golf Course Net Profit Calculation
31

32 12.
33 Planning Commission Report
34

35 no meeting held
36

37 13.
38 City Administrative Report
39

40 City Administrator Wendell Wild reported and discussed:
41 - Rails to Trails Project being one step closer to completion
42 - The Texas Roadhouse grand opening - with many dignitaries of the
43 community commenting on "the jewel" West Bountiful had with its
44 RDA development
45 - Flu Shots would be available to employees and residents at City Hall
- Upcoming "Bond" meeting with the Mayor and Craig Howe being
in San Francisco Thursday and Friday

14.
Mayor/City Council Reports

Mayor James Behunin reported and discussed:

- compiling information for election newsletter
- UTA to redesign bus routes to coincide with Front Runner Schedule, UTA will hold open house for public
- a letter had been sent to Bountiful City regarding power issues at Shop-ko RDA

Council Member James Bruhn had no report

Council member Debbie McKean reminded Council and Staff of upcoming Safe Halloween Project.

Council member Ken Romney informed and discussed:

- Golf Board issues
- Golf Revenues
- search for Golf Board Assistant Chair

Council member Cheryl Searle informed and discussed:

- the need for information to be sent to public regarding RAP tax issue
- how to get information to public regarding Emergency Preparedness Seminar being held on November 17th from 6-7pm

Council member Valerie Shaw informed and discussed:

- that plans and preparations were being made for the upcoming Turkey Trot.

15.
Approval of Minutes
previous meetings

MOTION: Ken Romney of Council made motion to approve the Work Session Minuets of October 7,2008

1 SECOND: Motion was seconded by Council member Valerie Shaw

2
3 PASSES: Motion passes unanimously in favor

4
5 16.
6 Adjournment

7
8 MOTION: Council member Debbie McKean made motion to adjourn
9 this session of Council meeting

10
11 SECOND: Council member James Bruhn seconded the motion

12
13 PASSES: Voting was unanimous in favor

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15
16 Meeting Adjourned at 10:10pm

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31 _____
MAYOR JAMES BEHUNIN

32 _____
BEVERLY HASLAM (CITY RECORDER)

33
34
35
36 _____
37 JAMI ZIGICH (SECRETARY)